

HOUSE COMMUNICATIONS

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TOMORROW'S FORECAST

* The House will reconvene for its 23rd Legislative Day on Thursday,
February 23, at 10:00 am.
* 10 bills are expected to be debated on the floor.

GEORGIA HOUSE OF REPRESENTATIVES**DAILY REPORT****WEDNESDAY, FEBRUARY 22, 2006****LEGISLATIVE DAY# 22*****TODAY ON THE FLOOR*****DEBATE CALENDAR****HB0376 Juries; exemption; caregivers of certain children**

Exempts caregivers of children who are four or younger from reporting for jury duty. Excuses a primary teacher in a home study program as defined by OCGA 20-2-690 from jury duty. House substitute requires the court to provide affidavits for the above exceptions.

Authored by: Rep. Barry Loudermilk

House Special Rules Applied: Open

House Committee: Judiciary

Amendment: Raised the age to 6 years old

Yea: 161 Nay: 0

HB 0833 Georgia Procurement Registry; certain bid advertisements; local governments

This bill provides that the Georgia Procurement Registry shall be the official legal organ for advertisement of certain bid opportunities for goods and services and public works construction contracts by a municipal corporation, county, or local board of education. It requires advertisement of certain bid opportunities by local government entities via the Georgia Procurement Registry free of charge.

Authored by: Rep. John Lunsford

House Special Rules Applied: Open

House Committee: Government Affairs

Yea: 166 Nay: 0

HB 0881 Dispensing opticians; apprenticeship program; amend requirements

HB 881 would require an apprenticeship program as part of the requirement for an applicant to gain experience. The training would include a minimum of 3,500 hours of experience and instruction. The supervisor of the program will need to submit a written plan to the board for approval, and the applicant must submit a written statement of interest to qualify for the apprenticeship program.

Authored by: Rep. Jill Chambers

House Special Rules Applied: Open

House Committee: Regulated Industries

Yea: 161 Nay: 0

HB 0986 Depositions; persons who are not legal U.S. residents; provisions

Adds to exceptions for ordering witness testimony by deposition that the witness has not been lawfully admitted to the United States for permanent residency.

Authored by: Rep. John Lunsford

Special House Rules Applied: Open
House Committee: Judiciary Non-Civil
Yea: 162 Nay: 0

HB 1040 Carpet samples; raw material cost; fair market valuation; definitions

This bill defines the term 'total raw material cost' to mean the manufactured cost of carpet samples. Supplies used in the manufacturing of the samples include binding, grommets, similar items and display devices such as racks, binders, and similar items. The fair market value of a carpet sample is equal to 21.9% of the total raw material cost.

Authored by: Rep. Roger Williams
Special House Rules Applied: Structured
House Committee: Ways & Means
Yea: 157 Nay: 0

HB 1097 Outdoor advertising signs; restriction; amend

A bill to be entitled an Act to amend Code Section 32-6-75 of the O.C.G.A., relating to restrictions on outdoor advertising signs authorized by Code Section 32-6-72 on the interstate system, primary highways, and other highways, so as to provide that no such signs may advertise the availability of certain entertainment which appeals to the prurient interest; to prohibit erecting certain signs having two faces on one visible side after a certain date; to permit certain types of non-mechanical multiple message signs subject to certain limitations; to impose certain height limitations on erecting such outdoor advertising signs subject to certain conditions after a certain date; to provide for procedures relative to the foregoing; to provide for severability; to repeal conflicting laws; and for other purposes.

Authored by: Rep. Tom McCall
Special House Rules Applied: Modified Open
House Committee: Transportation

Bill was Recommended to the Rules Committee

HB 1177 Dept. of Transportation; certain projects; bonding amounts; provisions

This bill will add a new subsection (e) to say that any construction contract that exceeds 300 million dollars, performance and payment bonds will be required in the amount of at least the total amount payable by the terms of the contract unless the department makes a written recommendation to the board, supported by specific findings, and the board by vote in a public approved meeting, that single bonds in such amount are not reasonably available in the surety industry. If the amount of the value of the construction portion of the contract, excluding right of way acquisition and engineering, shall be guaranteed by combinations, as determined by the board, of performance and payment bonds, letters of credit and corporate guaranties, but in no case shall such aggregate assurances be composed of less than 300 million dollars of performance and payment bonds; and equal less than 100 percent of the contractor's obligation under the construction contract, and shall be in accordance with 13-10-1 (part 4) for the purposes of Code section 13-10-61.

Authored by: Rep. Vance Smith
Special House Rules Applied: Open
House Committee: Transportation
Yea: 165 Nay: 0

HB 1190 State Road and Tollway Authority; collection of unpaid tolls; amend

A bill to be entitled an Act to amend Code Section 32-10-64 of the Official Code of Georgia Annotated, relating to the toll powers of the State Road and Tollway Authority, so as to modify and clarify the processes by which collection of unpaid tolls may be accomplished; to alter the fees and penalties which may be assessed for failure to pay the proper toll; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Authored by: Rep. Joe Wilkinson
Special House Rules Applied: Open

House Committee: Transportation

Yea: 158 Nay: 1

HB 1321 Johns Creek, City of; incorporate

This bill would incorporate the City of Johns Creek in Fulton County, Georgia

Authored by: Rep. Mark Burkhalter

Special House Rules Applied: Modified Open

House Committee: Government Affairs

Yea: 138 Nay: 8

HB 1325 Natural gas; distribution; provisions

A bill to be entitled an Act to amend Code Section 46-4-155 of the O.C.G.A., relating to regulation of unbundled services, peaking service, customer services, and interstate capacity assets with regard to the distribution, storage, and sale of gas, so as to provide for definitions; to provide for the requirements upon which the electing distribution company shall include proposed strategic infrastructure assets in the capacity supply and strategic infrastructure plan; to provide for the information that must be filed with any capacity supply and strategic infrastructure plan; to provide that the Public Service Commission shall not in a subsequent proceeding fail to approve any long-term capacity assets and any strategic infrastructure assets which were included in a plan previously approved by the commission; to provide for cost recovery; to provide for legislative findings and declarations; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Authored by: Rep. Jeff Lewis

Special House Rules Applied: Open

House Committee: Public Utilities & Telecommunications

Yea: 110 Nay: 59

** The House will reconvene Thursday, February 23 at 10:00 am for its 23rd Legislative Day of the 2nd Regular Session of the 148th General Assembly.*

COMMITTEE ON RULES

The Committee on Rules today has fixed the calendar for the 23rd Legislative Day, Thursday, February 23, as enumerated below, and can be called at the pleasure of the Speaker of the House.

DEBATE CALENDAR

HB0363 Motor vehicles; state vehicles; license plates; requirements

This bill changes the requirements regarding re-plating of private and governmental motor vehicles by increasing the license fee on governmental vehicles.

Authored by: Rep. Jack Murphy

Special House Rules Applied: Open

House Committee: Motor Vehicles

HB0935 Advanced practice registered nurse; controlled substances; provisions

Amends 16-13-21 to allow advanced practice registered nurse to be considered a Practitioner. Creates a new definition of "advanced practice registered nurse." Provides that physicians may delegate certain medical acts to allow APRNs to issue prescription drug orders and provide professional samples and order certain studies and devices. This bill provides for the conditions of a protocol agreement between a nurse and a physician.

Authored by: Rep. Sue Burmeister

Special House Rules Applied: Modified Structured

House Committee: Judiciary Non-Civil

HB1023 Marriage contract; age of majority; provisions

The bill amends Title 15 relating to juvenile proceedings and petitions for marriage. A 16 or 17 year-old who does not have parental consent may petition the juvenile court for a waiver of the consent. After a hearing the court may decide to waive the 18 year age requirement for marriage.

Authored by: Rep. Bobby Franklin

Special House Rules Applied: Open

House Committee: Judiciary

HB1145 Juvenile proceedings; mental health; change provisions

This bill reorganizes and makes substantive changes to the Juvenile Code as it pertains to mental competency. The bill redefines “dependent” as a child not mentally competent to stand trial, and that age can be used as a factor for determining competency. “Mentally ill” and “Mental retardation” are added as definitions. The child’s parent or legal guardian has been added to the persons who may motion the court to stay proceedings in order to have a mental evaluation done – if an evaluation is to be performed the court will be required to appoint an attorney for the child if he or she is not yet represented. The bill adds a recommendation for appropriate treatment to the information that mental health examiners should include in their reports. The burden of proving mental incompetence will be on the child. The substitute removes the language that requires that any child found not competent shall not be held in a secure facility any longer than permitted under the law for a mentally ill or disabled child. The substitute requires that the plan manager be responsible for monitoring the competency plan. If the court finds that a juvenile will not become competent to stand trial the court may dismiss the delinquency petition. The court may order civil commitment proceedings, if appropriate, but not less than 60 days prior to the dismissal of the delinquency petition. The substitute allows the prosecuting attorney to seek civil commitment.

Authored by: Rep. David Ralston

Special House Rules Applied: Open

House Committee: Judiciary Non-Civil

HB1170 Cosmetologists; examination fees; change certain provisions

HB 1170 would eliminate the State Board of Cosmetology's division director from receiving the fee charged to cosmetologists upon application for certificate of registration, examination, work permit, reciprocity, study at college or school, and other eligibility requirements. HB 1170 would further outsource the national exam; currently the board creates and administers the exam. Board members may attend and observe all written and practical examinations under HB 1170.

Authored by: Rep. Don Parsons

Special House Rules Applied: Open

House Committee: Regulated Industries

HB1195 Civil case; complaints and judgments; change provisions

Ensures that a civil action is not considered filed until the civil case form is properly filled out; Requires that judgment not be entered until the civil case form is filed

Authored by: Rep. Wendell Willard

Special House Rules Applied: Open

House Committee: Judiciary

HB1250 - Probation Management Act of 2004; change repeal date

Changes the repeal date of the "Probation Management Act of 2004" from July 1, 2006 to June 30, 2008.

Authored by: Rep. Terry Barnard

Special House Rules Applied: Open

House Committee: State Institutions & Property

HB1292 Prison chaplains appreciation day; create

This bill relates to holidays and observances, creating "Prison Chaplains Apperception Day" to be observed the fourth Monday in March of each year. Legislation applies to Chaplains in all state and private correctional institutions in Georgia.

Authored by: Rep. Mike Keown

Special House Rules Applied: Open

House Committee: State Institutions & Property

HR1081 Joint Higher Education Finance and Formula Study Committee; create

The resolution creates the Joint Higher Ed Finance and Formula Study Committee. The committee will review and evaluate the budgets and funding formula's used by the Board of Regents/University System and the Dept of Technical and Adult Ed. Specifically the committee will:

(1) Conduct a review of the current financing of the Board of Regents of the University System of Georgia and the Department of Technical and Adult Education to include an examination of budgeted revenues and expenditures;

(2) Recommend revisions to the current funding formula used in calculating funding needs for the Board of Regents of the University System of Georgia;

(3) Recommend revisions to the current funding formula used in calculating funding needs for the Department of Technical and Adult Education;

(4) Evaluate alternatives for a performance-based funding component for potential use as a component of the financing methodology for both the Board of Regents of the University System of Georgia and the Department of Technical and Adult Education;

(5) Establish models demonstrating the state-wide effects of proposed recommendations;

(6) Review capital outlay projections and prioritization methodology for the Board of Regents of the University System of Georgia and the Department of Technical and Adult Education; and

(7) Develop, as needed, a prioritized implementation schedule for any proposed changes in financing for the Board of Regents of the University System of Georgia and the Department of Technical and Adult Education.

Authored by: Rep. Bob Smith

Special House Rules Applied: Open

House Committee: Higher Education

HR1259 Chatham, Coweta, Douglas, Grady, and Muscogee counties; easements; authorize

Authorizes the granting of nonexclusive easements for operation and maintenance of facilities, utilities, ingress, and egress in, over, under, upon, across or through property owned by the State of Georgia in the following counties: Chatham, Coweta, Douglas, Grady, and Muscogee.

Authored by: Rep. Terry Barnard

Special House Rules Applied: Open

House Committee: State Institutions & Property

** The Rules Committee will next meet on Thursday, February 23 at 9:30 am to set the Debate Calendar for the 24th Legislative Day.*

COMMITTEE ACTION REPORT

INDUSTRIAL RELATIONS

HB1326 State-wide Reserve Ratio; contribution rates; change certain provisions

Authored by: Rep. Mike Coan

Committee Action: Do Pass by Committee Substitute

INSURANCE

HB1257 Insurance; certain change of address filings; exempt from fee

This bill permits the Commissioner of Insurance to exempt certain change of address filings by agents, subagents, counselors, and adjusters from a fee. Further, this bill provides for certain qualifications for a counselor's license and provides for the maintenance by the Commissioner of Insurance of the address of the place of business of agents, subagents, counselors, and adjusters.

Authored By: Rep. Tom Knox

Committee Action: Do Pass by Committee Substitute

HB1359 Georgia Assignment Pool Underwriting Authority; create

This bill creates the Georgia Assignment Pool Underwriting Authority. Further, HB 1359 provides alternative mechanism coverage for the availability of individual health insurance. This bill provides for an assignment pool underwriting board, the selection of an administrator, and for the establishment of rates.

Authored By: Rep. Ronald Forster

Committee Action: Do Pass by Committee Substitute

JUDICIARY NON-CIVIL

HB1162 Dept. of Community Affairs; Section 8 housing fraud; require investigation

Creates new code section 50-8-3.1 which allows the Department of Community Affairs to investigate abuse of federal Section 8. Housing Choice Voucher Program and refer prosecution cases to District Attorneys in the counties for which the abuse took place. Further allows the Department of Community Affairs to settle cases that are not prosecuted as well as seek civil action.

Authored By: Rep. Barry Fleming

Committee Action: Do Pass by Committee Substitute

HB1209 Dept. of Public Safety; motorcycle enforcement prog.; payment provisions

Would allow monies collected by fines given by motorcycle police within an "urban interstate system" to go to supporting the motorcycle enforcement unit of the Department of Public Safety Defines "urban interstate system" as that which is entirely within the borders of the state and forms a loop or perimeter; included any portions of interstate highways located within the loop

Authored By: Rep. Jill Chambers

Committee Action: Do Pass by Committee Substitute

HB1234 Firearms; carrying deadly weapons; public gatherings; constables; exemptions

Would allow constables to carry pistols in public buildings

Authored By: Rep. Jim Cole

Committee Action: Do Pass by Committee Substitute

HB1259 Private detectives and private security officers; licensing; revise

This bill adds to the definition of "private detective business" those which provide protection of persons from death or serious bodily harm. This bill would allow the chief security officer of a company desiring to

be in the private security business to apply for a license, if that individual meets the requirements for a license. Currently only the "corporate officer" of a company may apply for a license for the company. In addition to the initial applicant, the bill would allow additional individuals from the company to qualify to hold the license for the company. This bill adds to the range of qualifications for a license that the applicant has had at least two years experience as a supervisor or administrator in in-house investigations or at least two years experience as a peace officer. With respect to a firearm permit, the bill would allow an applicant to carry a firearm provided that he or she is not prohibited from possession of a firearm by state or federal law. However the board may refuse to grant or revoke a weapons permit if the person is not permitted to carry a firearm per 16-11-129. This bill removes the provision that Chapter 38 of Title 43 does not apply to persons engaged in the business of furnishing information in connections with credit or marketing. This bill would also make it a felony for any person who pretends to be or holds him or herself out as a private detective without a license. The punishment would be a fine of \$500-\$1000.00 or 2-5 years in prison or both. Current law makes it a misdemeanor.

Authored By: Rep. Calvin Hill

Committee Action: Do Pass by Committee Substitute

HB1288 Municipal court clerks; required training; provide

Bill requires new municipal court clerks to obtain 16 hours of training within the first year of being in said position. Further requires all municipal court clerks to obtain 8 hours of training annually. Said training will be prescribed by the Georgia Municipal Courts Training Council.

Authored By: Rep. David Ralston

Committee Action: Do Pass

PUBLIC SAFETY

HB0465 Penalties for loitering school premises within a school safety zone; required check in for visitors

During official school hours, all visitors are required to check in at the designated location (stated on posted signs) and provide a reason for his/her presence at the school. Persons exempt from check in are: law enforcement officers, firefighters, emergency medical and public safety officials; persons entering schools that serve as official polling place for the purpose of voting day; persons attending or participating in an academic or athletic event while remaining in the authorized area.

Authored by: Rep. "Pete" Marin

Committee Action: Do Pass by Committee Substitute

HR1396 House Study Committee on Local Law Enforcement Salaries and Benefits; create

This bill creates the House Study Committee on State and Local Law Enforcement Salaries and Benefits to be composed of five member of the House of Representatives to be appointed by the Speaker of the House of representatives. This committee will undertake the conditions, needs, issues and problems of State and Local Enforcement Officers.

Authored by: Rep. Willie Talton

Committee Action: Do Pass by Committee Substitute

SB0381 State Flags; qualifying public safety officers killed; honor service

This bill relates to provisions of state flags to honor Georgia Public Safety Officers who are killed in the line of duty. Also honors those who died following extended service to the public of this state. It is the duty of state or local agencies contact the Secretary of State's office for the purpose of providing state flag to the estate of a qualifying public safety officer (with knowledge of their death).

Authored by: Sen. Seth Harp

Committee Action: Do Pass by Committee Substitute

REGULATED INDUSTRIES

HB0801 Physical therapists; licenses; eliminate certain requirement

HB 801 would allow patients direct access to a physical therapist, without receiving a referral from a medical doctor, in the following instances: 1. Physical therapy services are provided for the purpose of fitness, wellness, or prevention that is not related to the treatment of an injury or ailment. 2. After a patient has received an initial medical diagnosis and been referred to physical therapy treatment, the patient may resume physical therapy if needed within 60 days of discharge. The physical therapist is required to notify the original doctor within five business days. Furthermore, the physical therapist must hold a master or doctorate degree from a professional, accredited physical therapy program, or have completed at least two years of practical experience as a licensed physical therapist. Further under HB 801, the therapist must refer a patient to a doctor if the patient shows no substantial progress after 90 days of physical therapy treatment. The physical therapist is also required to refer the patient to a doctor if, at any time, the patient has symptoms or conditions beyond the scope of physical therapy.

Authored By: Rep. Tom McCall

Committee Action: Do Pass by Committee Substitute

HB1168 Winery; tasting room; permit sales

HB 1168 would allow wineries to sell distilled spirits, malt beverages, and wines in their tasting rooms.

Authored By: Rep. Ron Stephens

Committee Action: Do Pass

TRANSPORTATION

Joint Senate/House Transportation committee meeting—Guest Speaker, Jim Ely, Executive Director of the Florida Turnpike Enterprise. Mr. Ely made a presentation regarding the revenues generated by this system, how it assists in meeting Florida's transportation needs, etc.

** Committee action reports are edited for this report. For full content, please contact the House Committee Services Office at 404-656-3206. Bills passing committees are reported to the Clerk's Office and are then placed on the General Calendar for Rules Consideration.*

COMMITTEE BROADCAST SCHEDULE

8:00 am Science & Technology
506 CLOB

8:30 am Appropriations-Economic Development
406 CLOB

9:00 am Committee on Rules
341 CAP

1:00 pm Economic Development & Tourism
506 CLOB

1:30 pm 406 CLOB	Governmental Affairs
2:00 pm 415 CLOB	Appropriations-General Subcommittee
2:00 pm 606 CLOB	Health & Human Services
2:00 pm 132 CAP	Judiciary-Civil
2:00 pm 506 CLOB	State Institutions & Property
2:30 pm 406 CLOB	Agriculture
3:00 pm 506 CLOB	Human Relations & Aging
3:00 pm 606 CLOB	Judiciary Non-Civil
3:30 pm 406 CLOB	Game, Fish & Parks
5:00 pm 133 CAP	Ways & Means

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